

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:07CR90
Plaintiff,)	
)	
vs.)	ORDER
)	
ALAN WOLFE,)	
)	
Defendant.)	

This matter is before the court on the motion to continue by defendant Alan Wolfe (Wolfe) (Filing No. 14). Wolfe seeks a continuance of the trial of this matter scheduled for May 7, 2007. Wolfe's counsel represents that government's counsel has no objection to the motion. Wolfe's counsel represents that Wolfe consents to the motion and will submit an affidavit from Wolfe agreeing to the motion and acknowledging he understands the time required for the motion will be excluded from the Speedy Trial Act calculations. Upon consideration, the motion will be granted and trial will be continued.

IT IS ORDERED:

1. Wolfe's motion to continue trial (Filing No. 14) is granted.
2. Trial of this matter is re-scheduled for **June 4, 2007**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **May 1, 2007 and June 4, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 1st day of May, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge